

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU

AUDIO DIVISION

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August 8, 2019

AGM California, Inc.
Attn: L. Rogers Brandon
P.O. Box 2700
Bakersfield, CA 93303

Re: AGM California, Inc.
KERN(AM), Wasco-Greenacres, CA
Facility Identification Number: 35899
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed August 1, 2019, on behalf of AGM California, Inc. ("ACI"). ACI requests special temporary authority ("STA") to operate station KERN(AM) with parameters at variance from its licensed facilities.¹ Specifically, ACI requests that station KERN(AM) be permitted to operate during daytime and nighttime hours utilizing the station's licensed nighttime parameters.

In support of the request, ACI states that the mechanism to switch between authorized day and night directional patterns is malfunctioning. Therefore, until the necessary parts are delivered and installed, the station requests STA to continue to operate during daytime and nighttime hours with the station's licensed nighttime parameters.

Accordingly, the request for STA IS HEREBY GRANTED. Station KERN(AM) may operate full time with the station's currently licensed nighttime parameters. It will be necessary to further reduce power or cease operation if complaints of interference are received. KERN(AM) must notify the Commission when licensed operation is restored.² KERN(AM) must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on **February 4, 2020**.

¹ KERN(AM) is licensed for operation on 1180 kHz with a daytime power of 50 kilowatts and a nighttime power of 10 kilowatts, employing different directional antenna patterns (DA2-U).

² See 47 CFR §§ 73.45(c), 73.51, 73.61(b).

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: John Neely, Esq. (via email only)